

**MINUTES OF THE MEETING  
OF THE  
BOARD OF OCCUPATIONAL THERAPY**

**January 17, 2006**

**CALL TO ORDER**

Brenda Coppard, Chairperson, called the meeting of the Board of Occupational Therapy to order at 9:03 a.m., Tuesday, January 17, 2006, in Conference Room 6-Y, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice of the Meeting Agenda prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services at least twenty-four (24) hours prior to the meeting.

**Roll Call**

The following Board members, HHSS Staff and visitors were present at the meeting:

Brenda Coppard, Chairperson  
Christina Bueide, Vice Chairperson  
R. McLaren Sawyer, Consumer Member  
Lisa Scheet, Professional Member

Diane Hansmeyer, Section Administrator  
Delores James, Credentialing Coordinator  
Brad Shaff, Assistant Attorney General  
Duane Newland, Investigator  
Pat Gromak, Occupational Therapist  
Amy Lamb, Occupational Therapist  
Kelly Clappers, Occupational Therapist

**Adoption of the Revised Agenda**

Sawyer moved, seconded by Bueide, to adopt the agenda as presented. Voting aye: Coppard, Bueide, Sawyer and Scheet. Voting Nay: None. Not voting: None. Motion carried.

**Approval of Minutes**

Scheet moved, seconded by Bueide, to approve the board minutes of October 20, 2005. Voting aye: Bueide, Sawyer, Scheet and Coppard. Voting nay: None. Not voting: None. Motion carried.

**INVESTIGATIONAL REPORT(S)**

Scheet moved, seconded by Sawyer, to go into closed session at 9:05 a.m. for the purpose of discussing investigational reports and to protect the reputation of individuals. Voting aye: Sawyer, Scheet, Coppard, and Bueide. Voting nay: None. Not Voting: None. Motion carried.

**Out of Closed Session**

Sawyer moved, seconded by Bueide, to come out of closed session at 9:37 a.m. Voting aye: Scheet, Coppard, Bueide and Sawyer. Voting Nay: None. Not voting: None. Motion carried.

Shaff and Newland left the meeting at 9:37 a.m.

### **DEVELOPMENT OF JURISPRUDENCE EXAMINATION**

Hansmeyer discussed the development of an occupational therapy jurisprudence examination and gave the Board copies of two examinations developed by other professions. She stated that several other professions use the examination as an open book test. This examination is usually sent to individuals requesting licensure applications, along with a letter, which informs them that the examination is optional and will not have a bearing on their licensure statue.

The Board members reviewed the examinations and decided that they would like to use some of the same questions. The questions would be changed to fit the occupational therapy statutes and regulations.

The following Board members volunteered to develop questions on specific sections of the regulations and statutes: Scheet, continuing education, Bueide, makeup of the board and supervising/consulting for OTA's and temporary licensees, and Coppard will work on questions for the rest of the statutes and regulations. All of the questions will be sent to James before the next board meeting.

### **PHYSICAL AGENT MODALITIES**

#### **Update on Regulations**

Hansmeyer announced that the regulations on modalities have been approved by the Attorney General and are now at the Governor's office awaiting approval. Once approved they will be sent to the Secretary of State and will become effective five days after receipt by the SOS' office. Once effective, staff will send a letter and a copy of the regulations to all Nebraska OT licensees and interested individuals.

#### **Letter to Licensees (Attachment A)**

Hansmeyer asked the Board to review the letter that will be sent to all licensees to make sure that the process of certification is explained fully and is easy to understand. The letter addresses the levels of certification, the training required of OT's and OTA's, information on board approved training courses, and contact information. As a result of the discussion several changes will be made to the letter and it will be sent to Board members for final review. Hansmeyer asked that all old letters be destroyed so that several versions will not be in circulation.

#### **Application for Course Approval**

Hansmeyer asked the Board to review additional information submitted by a Board approved training program: "Advanced Rehabilitation Services, Inc. (ARS)." She explained that there was some misunderstanding because ARS did not understand that OTA's would have to have training in order to get certification. Kelly Clappers spoke about the issues as they relate to this program and asked the Board to inform them about additional information needed. Hansmeyer said that the Board would go into closed session to discuss revisions to ARS's training program and the examination.

Hansmeyer stated that the Board made a decision at an earlier meeting to act upon applications for approval of courses within 150 days of completion of the application process, however "Advanced Rehabilitation Services, Inc." is not a new program and that is the reason that the Board is willing to review changes to their training program at this time.

### **Training Issues (Attachment B)**

Pat Gromak gave the Board a two page document listing the most commonly asked questions regarding physical agent modality training. She listed the three board approved training programs under continuing education opportunities. She also addressed when a person could take the test, the cost for testing and what happens when the person fails the test.

Gromak and Lamb addressed concerns brought to the OT Association about who would be responsible for testing the competency of OT and OTA's at the end of the training period. Gromak suggested using OT licensed Ph.D.'s and concern was expressed about PAMPCA using other licensed professionals. Lamb stated that some licensees felt that the occupational therapy profession viewed PAM's differently than PT's and they felt more comfortable with someone from their own profession.

Lamb said that it would be nice if the Board could put a mechanism in place for guaranteeing quality assurance.

Hansmeyer stated that the professional association should take their concerns about quality assurance to PAMPCA. However, the Board could write a letter stating that these concerns were brought to their attention.

The Board will send a letter to PAMPCA regarding the concerns from the Occupational Therapy Association.

Gromak, Lamb and Clappers left the meeting at 11:21 a.m.

**Recess 11:21 a.m.**

**Reconvened 11:35 a.m.**

**Application for Course Approval**

**Advanced Rehabilitation Services, Inc. (ARS)**

**Closed Session**

Bueide moved, seconded by Scheet, to move into closed session at 11:35 a.m. for the purpose of discussing revisions to the Advanced Rehabilitation Services' training program. Voting aye: Scheet, Coppard, Bueide and Sawyer. Voting nay: None. Not voting: None. Motion carried.

**Out of Closed Session**

Scheet moved, seconded by Sawyer, to move out of closed session at 12:25 p.m for the purpose of protecting the examination questions. Voting aye: Coppard, Bueide, Sawyer and Scheet. Voting nay: None. Not Voting: None. Motion carried

**Motion Advanced Rehabilitation Services, Inc. (ARS)**

Sawyer moved, seconded by Bueide, to approve the Advanced Rehabilitation Services, Inc, modalities training program pending the receipt of the following information: A new course outline over pages 4-35, j & M, an agenda that reflects 6 hours of training over superficial not ultra sound modalities, 4-35. and additional test items over A,G,H,I & J. Voting aye: Bueide, Sawyer, Scheet and Coppard. Voting nay: None. Not voting: None. Motion carried

**REVISION OF AOTA MODEL PRACTICE ACT (Attachment C)**

Board reviewed the information on the AOTA model practice act. Hansmeyer stated that there is no action required of the Board.

### **OLD BUSINESS**

There was no old business to discuss.

### **NEW BUSINESS**

#### **Licensure Renewal Audit**

Hansmeyer stated that the licensure renewal will take place August 1, 2006 and the Department needs to know the percentage of licensees the Board wants to audit. In the past the Board audited 10% of the licensees.

#### **Audit Motion**

Sawyer moved, seconded by Bueide, to audit 15% of the licensees during the 2006 licensure renewal period. Voting aye: Bueide, Sawyer, Scheet and Coppard. Voting nay: None. Not voting: None. Motion carried.

#### **Board/Staff Duties and Responsibilities (Attachment D)**

Sawyer moved, seconded by Bueide to approve the Board/Staff Duties and Responsibilities list as presented. Voting aye: Sawyer, Scheet, Coppard and Bueide. Voting nay: None. Not voting: None. Motion carried.

#### **Complaint Screener/Inv. Consultant**

Scheet will continue to serve as complaint screener and investigative consultant for the Board. Voting aye: Bueide, Sawyer, Scheet and Coppard. Voting nay: None. Not voting: None. Motion carried.

#### **Election of Officers**

Sawyer nominated Christina Bueide as Chairperson, seconded by Scheet and Lisa Scheet as Vice-Chairperson, seconded by Coppard. Sawyer moved, seconded by Coppard to cease nominations and cast ballots for the two aforementioned persons. Voting aye: Sawyer, Scheet, Coppard and Bueide. Voting nay: None. Not voting: None. Motion carried.

#### **Review of Fees (Attachment E)**

Hansmeyer presented information regarding the Licensure Fee Review for 2007-2008. The worksheet provides revenue and expenditures, which results in the cost per credential. Sawyer moved, seconded by Coppard not to change the fees for the 2007-2008 period. Voting aye: Scheet, Coppard, Bueide and Sawyer. Voting nay: None. Not voting: None. Motion carried.

### **MISCELLANEOUS**

#### **Schedule 2006 Board Meetings**

The following board meetings were scheduled for the year of 2006: July 17, 2006 and January 22, 2007 at 9:00 a.m. at the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska.

#### **Signatures of Board Members**

The Board signed a signature form, in order to expedite board business when signatures are required on documents.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 1:24 p.m.

Respectfully submitted,

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Christine Bueide, Vice-Chair